

RECEIVED

JAN 21 2000

JAN 28 2000

TECH CENTER 1600/290

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS

APPELLANTS: Mark et al. DOCKET NO.: P97,1036
SERIAL NO: 09/025,363 ART UNIT: 1616
FILED: February 18, 1998 EXAMINER: S. Sharareh
INVENTION: "CALORICALLY DENSE NUTRITIONAL COMPOSITION"

Assistant Commissioner of Patents

Washington, D.C. 20231

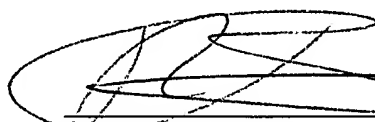
NOTICE OF APPEAL

SIR:

Appellants hereby appeal from the final rejection dated September 14, 1999. The Office Action rejects Claims 1-20. Appellants appeal the rejection of these claims.

Appellants petition for a one-month extension of time to file this Notice of Appeal under 37 CFR 1.136 so that the period is extended from December 14, 1999 to January 14, 2000. Accordingly, enclosed is a check for \$410.00 to cover the \$300.00 for the Notice of Appeal as well as the \$110.00 fee for the extension of time. To the extent that any additional fees are due and owing in view of this communication, Appellants respectfully request that they be charged to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed for that purpose.

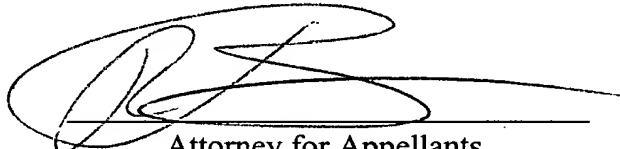
Respectfully submitted,


(Reg. No. 30,142)
Robert M. Barrett
Hill & Simpson

A Professional Corporation
85th Floor, Sears Tower
Chicago, Illinois 60606
312/876-0200
ATTORNEY FOR APPELLANTS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on January 12, 2000.



Attorney for Appellants